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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,141	10/27/2003	Matt R. Hogstrom	RSW920030188US1	3273
23550	7590	08/10/2007		
Hoffman Warnick & D'Alessandro, LLC			EXAMINER	
75 STATE STREET			SALL, EL HADJI MALICK	
14TH FLOOR				
ALBANY, NY 12207			ART UNIT	PAPER NUMBER
			2157	
			MAIL DATE	DELIVERY MODE
			08/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/694,141	HOGSTROM ET AL.	
	Examiner El Hadji M. Sall	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 October 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-22 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/03/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. This action is responsive to the application filed on October 27, 2003. Claims 1-22 are pending. Claims 1-22 represent method, system and program product for communicating over a network.

2. ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated Nishida U.S. 5619697

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Nishida teaches the invention as claimed including inter-processor communication system for performing message communication between processors and multi-processor real time system for communicating among a plurality of processors at real time with the inter-processor communication system.

As to claims 1, 10, 15 and 20, Nishida teaches a method, a system and a program product stored on a recordable medium for communicating over a network, the method comprising:

obtaining a set of rules for classifying messages on a client (column 5, lines 45-48);

providing a message on the client to be sent to a server (figure 2, item 40; column 5, lines 49-52);

classifying the message on the client based on the set of rules (column 5, lines 45-48; figure 2); and

sending the message to the server based on the message classification (column 8, lines 46-51).

As to claim 2, Nishida teaches the method of claim 1, wherein the providing step comprises generating the message (column 8, lines 46-56).

As to claim 3, Nishida teaches the method of claim 1, further comprising periodically requesting an updated set of rules from the server (column 5, lines 41-44).

As to claim 4, Nishida teaches the method of claim 1, wherein the classifying step includes matching an attribute of the message with at least one of the set of rules (column 6, lines 19-23).

As to claim 5, Nishida teaches the method of claim 1, further comprising adjusting a port for the message based on the classification prior to the sending step (column 17, lines 2-24).

As to claim 6, Nishida teaches the method of claim 1, further comprising opening a connection with the server for the message (column 17, lines 32-35).

As to claims 7 and 8, Nishida teaches the method of claims 1 and 7, respectively, further comprising receiving a response message from the server, wherein the classified message and the response message are communicated over a first port, and wherein the first port is not a default port (column 5, lines 52-57).

As to claim 9, Nishida teaches the method of claim 1, further comprising separately monitoring a plurality of ports on the server for messages (abstract).

As to claim 11, Nishida teaches the method of claim 10, further comprising receiving a classified message from the client through a unique port (column 5, lines 52-57).

As to claim 12, Nishida teaches the method of claim 11, further comprising: processing the classified message (figure 2); and sending a response message to the client (column 5, lines 52-57).

As to claim 13, Nishida teaches the method of claim 10, further comprising opening a connection with the client (column 17, lines 32-35).

As to claim 14, Nishida teaches the method of claim 10, further comprising: receiving a request from the client for an updated set of rules; and sending the updated set of rules to the client (abstract).

As to claim 16, Nishida teaches the system of claim 15, further comprising a plurality of processing systems, wherein each processing system processes messages having a unique message classification (column 5, lines 52-57; abstract).

As to claim 17, Nishida teaches the system of claim 15, further comprising a classification system for classifying messages on a client (figure 2).

As to claim 18, Nishida teaches the system of claim 15, further comprising a maintenance system for periodically requesting the set of rules from the server (column 5, lines 41-44).

As to claim 19, Nishida teaches the system of claim 15, wherein each monitoring system monitors a unique port of the server (column 5, lines 52-57).

As to claim 21, Nishida teaches the program product of claim 20, further comprising program code for classifying messages on a client (figure 2).

As to claim 22, Nishida teaches the program product of claim 20, further comprising program code for periodically requesting the set of rules from the server (column 5, lines 41-44).

4.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EI Hadji Sall  
Patent Examiner  
Art Unit: 2157



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